



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,836	06/27/2000	Amnon Meyers	A-68807/AJT/JWC	6540

7590

05/05/2003

DAVID L ALBERTI
GRAY CARY WARE & FREIDENRICH LLP
1755 EMBARCADERO ROAD
PALO ALTO, CA 94303-3340

EXAMINER

HARPER, V PAUL

ART UNIT

PAPER NUMBER

2654

DATE MAILED: 05/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/604,836

Applicant(s)

MEYERS, AMNON

Examiner

V. Paul Harper

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Petition for Correction of Inventorship

1. In view of the papers filed 7/09/01, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(a). The inventorship of this application has been changed by adding the name David S. de Hilster to the list of inventors.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of the file jacket and PTO PALM data to reflect the inventorship as corrected.

Information Disclosure Statement

2. The Examiner has considered the references listed in the Information Disclosure Statement dated **9/9/02**. A copy of the Information Disclosure Statement is attached to this office action.

Claim Objections

3. Claim 6 is objected to because of the following informalities: It does not end in a period. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Liddy et al. (US Patent 5,963,940), hereinafter referred to as Liddy.

Regarding claims 1 and 13, Liddy discloses a natural language information retrieval system and method. Liddy's method includes the following steps: representing queries (which can be as long as some documents (col. 5, Ins. 2-5) and can contain hierarchical information (col. 3, Ins. 20-34, col. 21, Ins. 28-45, "Text Structure")) in many levels (col. 2, Ins. 36-64), which corresponds to "(a) providing a sample hierarchy, said sample hierarchy comprising samples of text;" generating one of more representations (rules or evidence sources) from the query where the representation(s) is used when matching documents in the database (col. 2, Ins. 48-60, col. 3, Ins. 11-35, col. 21, Ins. 28-67), which corresponds to "(b) extracting at least one rule from said sample hierarchy, said rule describing how to process a portion of text"; generating from a query logical representations and evidence sources in terms of the query to be used during matching (col. 3, Ins. 11-40, col. 21, Ins. 26-45, col. 21, Ins. 27-45), which corresponds to "(c) generating a pass from said rule, said pass containing instructions to operate a

Art Unit: 2654

text analyzer”; and by using the evidence sources the matcher scores documents (col. 21, ln. 26 through col. 22, ln. 7), which corresponds to “(d) constructing a text analyzer containing said pass.”

Regarding claim 2, Liddy teaches everything claimed, as applied above (see claim 1); in addition, Liddy teaches that multiple operations are performed on a query to generate evidence sources and logical representations (Fig. 5, col. 16, ln. 39 through col. 17, ln. 11), which corresponds to “said rule is generalized into multiple rules and multiple passes.”

Regarding claim 3, Liddy teaches everything claimed, as applied above (see claim 1); in addition, Liddy teaches that five sources of evidence are used to compute five individual measures of similarity (col. 22, §4.2, “Scoring”), which corresponds to “wherein multiple passes are added to said text analyzer.”

Regarding claim 4, Liddy teaches everything claimed, as applied above (see claim 4); in addition, Liddy teaches that five individual measures of similarity are performed and their scores combined (col. 22, lns. 1-7), which corresponds to “said multiple passes are arranged in a cascading manner having a sequence of passes such that rules associated with a pass are applied to subsequent passes.”

Regarding claim 6, Liddy teaches everything claimed, as applied above (see claim 4); in addition, Liddy teaches that the user is given the opportunity to modify the analysis of the query (col. 28, lns. 16-30, Fig. 14A, Fig. 14B), which corresponds to “allowing a user to control the extraction of rules from the sample hierarchy.”

Regarding claim 9, Liddy teaches everything claimed, as applied above (see claim 6); in addition, Liddy teaches that the user can modify representations including proper noun and time frame (col. 28, Ins. 16-30, Fig. 14A, Fig. 14B), which corresponds to “allowing a user to designate attributes associated with said rules, said attributes guiding the application of said rules.”

Regarding claim 5, Liddy teaches everything claimed, as applied above (see claim 1); in addition, Liddy teaches the use of a tree-form logical representation of a query statement that is used during matching and scoring (Fig. 6, §3.10, col. 20, In. 55 through col. 21, In. 18), which corresponds to “the samples are associated with offset values, said offset values identifying locations in a parse tree data structure, said parse tree containing concepts stored at locations identified by said offsets.”

Regarding claim 7, Liddy teaches everything claimed, as applied above (see claim 5); in addition, Liddy teaches that the user can modify the representation of the query (Fig. 14A, Fig. 14B, col. 28, Ins. 16-30), which corresponds to “allowing a user to designate properties associated with said properties controlling rule generation for a portion of the sample hierarchy.”

Regarding claim 8, Liddy teaches everything claimed, as applied above (see claim 5); in addition, Liddy teaches that the tree-form of the logical representation is used during scoring (col. 20, In. 55 through col. 21, In. 18), which corresponds to “said concepts are retrieved from said parse tree and processed to form said rule.”

Regarding claim 10, Liddy teaches everything claimed, as applied above (see claim 1); in addition, Liddy teaches that an alternative representation can encompass

any or all of a plurality of representations (col. 7, Ins. 12-20), which corresponds to “multiple rules are generalized and merged into a single rule if there is a difference between the multiple rules.”

Regarding claim 11, Liddy teaches everything claimed, as applied above (see claim 10); in addition, Liddy teaches that a query of any length is entered on the query screen **340** and that a query can be saved (inherently in a file) and recalled (from a file) (Fig. 11, Fig. 12, col. 30, Ins. 8-14), which corresponds to “samples may be contained in a sample file.”

Regarding claim 12, Liddy discloses a natural language information retrieval system and method. Liddy’s system includes the following: the ability to save previous requests (queries) where the text can be represented in a tree structure (Fig. 11 **340b**, col. 3, Ins. 20-34, col. 21, Ins. 28-45, “Text Structure”), which corresponds to “samples comprising portions of text”; generating one or more representations (rules or evidence sources) from the query where the representation(s) is used when matching documents in the database (col. 2, Ins. 48-60, col. 3, Ins. 11-35, col. 21, Ins. 28-67), which corresponds to “said samples used to generate rules for identifying patterns appearing in text”; generating conceptual and term-based representations of each query used during matching (col. 16, ln. 40 through col. 17, ln. 11), which corresponds to “said samples used to derive information from said identified patterns, said rules generated by parsing said text samples”; matching the query to indexed documents in multiple steps during scoring (§4.1, §4.2.3), which corresponds to “said index organized such that passes comprising operational steps and rules are generated in an order wherein

Art Unit: 2654

simple patterns are recognized by said text analyzer”; matching of evidence sources against a document starting with simple “terms” and moving to more complex structures such as paragraphs (§4.1 and §4.2), which corresponds to “and said recognized simple patterns are used by said text analyzer system and used to iteratively recognize more complex patterns.”

Citation of Pertinent Art

5. The following prior art made of record but not relied upon is considered pertinent to the applicant’s disclosure:

- a. Kupiec (US Patent 5,696,962) discloses a method for information retrieval where an input string is analyzed and generates a series of queries.
- b. Nihei (US Patent 6,208,987) discloses a hierarchically structured indexed information retrieval system.

Conclusion

Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive

Art Unit: 2654

Arlington, VA.
Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. V. Paul Harper whose telephone number is (703) 305-4197. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold, can be reached on (703) 305-4379. The fax phone number for the Technology Center 2600 is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service office whose telephone number is (703) 306-0377.

VPH/vph
April 23, 2003

Marsha D Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600